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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,883	04/10/2001	Scott A. Rawson	IR-2819(MF)	8545

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EXAMINER

KING, BRADLEY T

ART UNIT

PAPER NUMBER

3683

DATE MAILED: 07/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/829,883

Applicant(s)

RAWSON, SCOTT A.

Examiner

Bradley T King

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 5-6 recite limitations with insufficient antecedent basis. It appears that the claim dependencies may be incorrect.

Claim 7 recites "the second segment joining the first and second segments". The meaning of this limitation is unclear.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7, 8-10, and 12-22 rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Workman et al (US 2132840).

Workman et al discloses a vibration isolation member including: an inner member 17 having an outer periphery having a first dimension, an outer member 16 having a base and a shroud that extends away from the base, the shroud adapted to overlay the

inner member, the shroud defining an inner periphery having a second dimension, the second dimension being less than the first dimension, and a resilient member 18 constrained between the shroud and the inner member, whereby the vibration isolation member provides an interference between the inner and outer members in the event of a failure of the resilient member. Workman et al remain silent with regards to the stiffness of the mount in different directions; however, the structure is similar to that of the applicant's. Therefore, the mount will inherently exhibit some degree of iso-elasticity. Further, modifying shapes and orientation of elastomers to vary stiffness in different directions is well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the shape and orientation of the elastomer of Workman et al to achieve the desired elastic stiffness characteristic for a given application.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nowak et al (US 5116030) in view of Kubaugh (US 2367830).

Nowak et al discloses a vibration isolation member including: an inner member 38 having an outer periphery having a first dimension, an outer member 55 having a base and a shroud that extends away from the base, the shroud adapted to overlay the inner member, the shroud defining an inner periphery having a second dimension, and a resilient member 20 constrained between the shroud and the inner member, whereby the vibration isolation member provides iso-elastic stiffness. Nowak et al lack the interference between the inner and outer member. Kubaugh teaches the extension of a shroud member such that a inner periphery of the shroud is smaller than the outer

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periphery of an inner member so that the two parts will not completely separate if the resilient member fails (column 1, lines 18-21). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mount of Nowak to provide an interference as taught by Kubaugh to prevent full separation of the two members, thereby increasing the safety of the device.

Regarding claim 6, Nowak et al disclose angles of 50-57 degrees.

Regarding claim 11, Nowak disclose silicone (column 5, lines 19-20).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sato et al, Miyoshi et al, Bunker, Bruhl, Nakagaki et al, Gilliam, Mazurek, Pineau, Bourgeois, and Saurer. All show vibration mounts.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley T King whose telephone number is (703) 308-8346. The examiner can normally be reached on 11:00-7:30 M-F.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

BTK
July 15, 2002


JACK LAVINDER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600
